GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

EFS&T Department- Diversion of 5.00 ha. of forest land in compartment No.213 of Paradarmi RF for grant of mining lease for extraction of black granite, in favour of M/s Shiva Granites - Validity of the Forest clearance approval as co-terminus with the period of mining lease - Permission accorded - Orders - Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (Section-II) DEPARTMENT

G.O.MS.No. 74 **Dated: 06-07-2018**
Read the following:-

1. From GoI, MoEF& C.C, Lr.No.4-APB016/2004-BAN/2284, Dt.21-4-2008.
2. G.O MS No.120, EFS&T (Forest-I) Dept. Dated.3-10-2008.
3. From GoI, MoEF& C.C, Lr.F No.11-51/2015-FC, Dated.30-11-2017.
4. GoI, MoEF&CC, Chennai, Lr.F.No.4-APB016/2004-BAN/0861,dt.7-6-2018.

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ORDER:

The Government of India, Ministry of Environment, Forests & Climate Change in the reference 1st read above, have accorded (Stage-II) approval under Forest Conservation) Act, 1980 for diversion of 5.00 ha. of forest land in compartment No.213 of Paradarmi RF for grant of mining lease for extraction of black granite, in favour of M/s Shiva Granites, for a period of 10 (ten) years. Accordingly, the Government of Andhra Pradesh vide G.O. 2nd read above, have issued orders for diversion of above said forest land for a period of 10 (ten) years.

2. The Government of India, Ministry of Environment, Forests & Climate Change in their letter 3rd read above, have issued guidelines regarding period of validity of approvals accorded under Forest (Conservation) Act, 1980 stating that the "existing period of validity of forest clearance granted for diversion of forest land under section-2 (ii) of Forest (Conservation) Act, 1980 for mining of minor mineral in the state regulated under rules made under section 15 of MMDR Act, 1957 shall be for a period of co-terminus with the period of mining lease as deemed extended under section 15 of MMDR Act, 1957", subject to certain conditions.

3. Based on the guidelines issued by Government of India issued in the reference 3rd read above, the user agency i.e. M/s Shiva Granites has represented to the Ministry of Environment, Forests & Climate Change to extend the validity of the forest clearance for the subject project for which the approval was already accorded.

4. The Government of India, Ministry of Environment, Forests & Climate Change, Chennai in their letter 4th read above, have clarified that as per the guidelines issued in the reference 3rd read above and the approval accorded under section 2(ii) of Forest (Conservation) Act, 1980 for the subject project in the reference 1st read above, for mining of minor mineral in the state regulated under Rules made under section 15 of MMDR Act, 1957 shall be for a period co-terminus with the period of mining lease as deemed extended under the Rules made under section 15 of MMDR Act, 1957, subject to fulfillment of certain conditions.

5. Government after careful examination of the clarification accorded by Government of India, Ministry of Environment, Forests & Climate Change in the references 3rd & 4th read above, hereby permit the user agency i.e. M/s Shiva Granites for mining of minor mineral in the state regulated under Rules made under section 15 of MMDR Act, 1957 shall be for a period co-terminus with the period of mining lease as deemed extended under the Rules made under section 15 of MMDR Act, 1957 for the orders issued in the reference 2nd read above, subject to the following conditions:-

i. The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh shall realize from the user agency the Net Present Value (NPV) of the forest land so diverted, if not realized so far, within two years in two equal installments;

ii. The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh shall maintain the safety zone of 7.5 mts all along the periphery of the mining lease area, from the amount which has already been realized from the user agency.

iii. The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh shall realize Net Present Value (NPV) from the user agency for the forest land falling in the safety zone area and shall submit revised map along the DGPS co-ordinates including the safety zone area;

iv. All levies under the project shall be deposited with the respective Corporation Bank account of the Andhra Pradesh State CAMPA.

v. The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh / User Agency shall comply with all conditions stipulated in the approval accorded in the references 1st & 2nd read above in addition to the conditions mentioned above. In the event of failure to comply with any of the above conditions the user agency is liable for penal action as decided by the Additional PCCF (Central), Regional Office, Chennai.

6 . The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.ANANTHA RAMU
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Principal Chief Conservator of Forests & Head of Forest Force,
Andhra Pradesh, Guntur.

Copy to:
The Additional Principal Chief Conservator of Forests (Central)
Government of India, Ministry of Environment & Forests,
Regional Office, 1st and 2nd Floors,
Handloom Export promotion Council Building
34, Cathedral Garden Road, Nungambakkam, Chennai – 600034.

M/s. Shiva Granites,
22-680, Sambaiah Kandiga Village, C.K Palli (P), Chittoor
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SF/SC

// FORWARDED :: BY ORDER //

SECTION OFFICER